

NOV 22 2010

JULIA C. DUDLEY, CLERK
BY: *V. J. J. J.*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA,

v.

Case No. 7:10MJ00350

HEYWOOD SILVAN SCOTT

**ORDER REQUIRING PRODUCTION OF DEFENDANT'S
MEDICAL RECORDS FOR USE IN EVALUATING HIS MENTAL STATE FOR
PURPOSES OF SENTENCING**

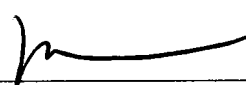
The defendant appeared before this Court for a petty offense bench trial on November 17, 2010, after being charged with obscene sexual display under VA 18.2-387.1 on October 5, 2010, while at the VAMC in Salem, VA. The defendant was found guilty of this Class A Misdemeanor, and because this was not the first appearance in this court or a state court for similar charges resulting in convictions, this Court found it necessary to order the conduct of a psychiatric/psychological exam under Title 18 U.S.C. §4244(b) and 4247(b) prior to sentencing to determine if there is a presence of a mental disease or defect for which treatment could be provided and to assist the Court in fashioning an appropriate sentence.

To assist the Court, the U. S. Probation Officer, and Dr. Howard Leizer in assessing the defendant and recommending an appropriate sentence, it is

ORDERED and DECREED

that the custodian of medical records at the VAMC, Salem, VA, Ms. Tammy Kendricks, Chief of Health Information, within five (5) days of receipt of this order disclose forthwith to Donna Clayton, U. S. Probation Office, 210 Franklin Road, SW, Room 402, Roanoke, VA 24011-2204, phone (540)857-5180, ext. 5513, fax (540) 857-5181; and to Dr. Howard Leizer, Psychological Associates, P. O. Box 5361, 1079 Spruce Street, Martinsville, VA 24115, phone (276) 638-6096 and fax (276) 638-5287, all mental health records, substance abuse records, medical disorder records, and 7332 information pertaining to the defendant Heywood Silvan Scott, DOB 06/27/1954, from 2007 to present, that are in the custody or control of the custodian. Hard copies of these records are to be mailed via USPS to the respective persons at the addresses listed above.

ENTERED: This 22nd day of November, 2010.


The Honorable Michael F. Urbanski
UNITED STATES MAGISTRATE JUDGE